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EXAMINER
TRUONG, LOAN

ART UNIT	PAPER NUMBER
2114	

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/684,163	SHABALIN, ROSTISLAV	
	Examiner	Art Unit	
	LOAN TRUONG	2114	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 October 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

1. Claims 8 and 16-26 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

In regards to claims 8 and 16-26 the claims are directed to a communication media in a modulated data signal in the form of carrier wave and wireless media in the form of acoustic, RF, infrared and other wireless media (*See specification paragraph 0021*). Therefore, the specified claims do not fall within the technological arts and therefore, is non-statutory. See MPEP § 2106. Examiner suggest applicant to amend the limitation “computer readable medium” to “computer storage media.”

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-4, 6-11, 20-23 and 25-26 are rejected under 35 U.S.C. 102(a) as being anticipated by Ishidera (US 2005/0010586).

In regard to claim 1, Ishidera disclosed a method for reporting errors in an application, the method comprising:

generating an error message box upon determination that an error occurred (*hardware monitoring program detects an abnormality in the monitoring-target device and displays a dialog box, fig. 7, 74, paragraph 0120)*;

displaying the error message box (*view dialog box, fig. 7, 74)*;

connecting to product support in response to selection of a universal resource locator (URL) in the error message box (*clicking the button "Open Web Page" the user can open the web site specified by the URL, paragraph 0122)*; and

passing a string (*Device x and Status x, fig. 13, b4)* to product support (*server machine, fig. 5, 50*), the string including an error message identifier corresponding to information concerning the error (*keyword "Device x + Status x" is used to search the server's database, fig. 13, paragraph 0137).*

In regard to claim 2, Ishidera disclosed the method of claim 1 wherein the errors are automatically resolved to corresponding documentation (*hardware monitoring main program transforms the information about the trouble into a specific format and save in the trouble failure database, fig. 9, a4, paragraph 0131).*

In regard to claim 3, Ishidera disclosed the method of claim 1 further comprising:

matching the error message identifier to information concerning the error (*keyword "Device x + Status x" is matched to find information associated with the keyword in the server's* *database, paragraph 0137).*

In regard to claim 4, Ishidera disclosed the method of claim 1 further comprising:

receiving information from product support in response to the passing of the string (*the retrieved web page includes catalog information about replacements for "Device x + Status x", paragraph 0137).*

In regard to claim 6, Ishidera disclosed the method of claim 1 wherein the error message box is a graphical user interface (*dialog box, fig. 8),* including a link to URL (*URL, fig. 8, paragraph 0122)* that can be activated by a user to connect to product support (*user can open the web site specified by the URL in a browser, paragraph 0122).*

In regard to claim 7, Ishidera disclosed the method of claim 6 wherein the graphical user interface (*dialog box, fig. 8)* further includes a title (*machine trouble occurred, fig. 8)*, the link (*http//www.netstore~webmart.com/webmart/index0?dd=7173119, fig. 8)* and a button (*open web page, fig. 8)* for the user to acknowledge the error (*in response to error notification user can accesses the web page and view catalog of replacements and conduct purchase procedure, paragraph 0125).*

In regard to claim 8, Ishidera disclosed a computer readable medium on which is stored a function responsive to a determination that an error occurred in an application, the function comprising:

a first parameter representing a unique error message identifier (*Device x, fig. 11, paragraph 0137)*, the unique error message identifier configured to enable product support to match the unique error message identifier with information concerning the error (*keyword "Device x" is matched to find information associated with the keyword in the server's database, paragraph 0137)*;

a second parameter representing a title for the an error message (*Status x, fig. 12)*;

a third parameter representing one or more arguments for a string associated with the error message (*URL, fig. 15, paragraph 0141)*; and

executable software (*server machine, fig. 5)* adapted to receive the first, second and third parameters (*information receiving section, fig. 5)* and generate (*create web page, fig. 7)* an error message box (*web page customized for user, fig. 7)*.

In regard to claim 9, Ishidera disclosed an application program interface (API) embodied on one or more computer readable media, comprising:

a first parameter related to a vendor identifier (*http//www.netstore~webmart.com/webmart/index0?dd=7173119, paragraph 0122 and 0141)*;

a second parameter related to a product identifier (*product name, fig. 12, paragraph 0133 and 0141)*;

a third parameter related to a application capable of experiencing an error condition (*Status x, fig. 12, paragraph 0133 and 0141)*; and

a fourth parameter related to a unique error message identifier (*Device x, fig. 11, paragraph 0137)*, the unique error message identifier (*Device x, fig. 11, paragraph 0137)* configured to be passed via the API, the API receiving and passing the unique error message identifier (*Device x, fig. 11, paragraph 0137*) and product support (*server machine, fig. 5*) receiving the unique error message identifier (*Device x, fig. 11, paragraph 0137*) to match to information concerning the error condition (*keyword "Device x" is matched to find information associated with the keyword in the server's database, paragraph 0137*).

In regard to claim 10, Ishidera disclosed the API of claim 9 wherein product support parses a string including one or more of the parameters, the parsing including:

determining whether the vendor identifier identifies a supported vendor (*http//www.netstore~webmart.com/webmart/index0?dd=7173119, paragraph 0122 and 0141*);

determining whether the product identifier identifies a supported product (*product name, fig. 12, paragraph 0133 and 0141*);

determining whether a version of the application is supported by product support (*a hit in searching database in server using keyword "Device x" + "Status x", fig. 13, b4*);

if the vendor, product and version of the application are supported (*hit, fig. 13, b4*), performing a search using the unique error message identifier (*searching database in server using keyword "Device x" + "Status x", fig. 13, b4*), the search in a database of articles concerning errors to identify a cause for the error condition (*server analyzes the received content of the trouble/failure database to identify the trouble occurring in the user PC, fig. 7, 80, paragraph 0124*).

In regard to claim 11, Ishidera disclosed the API of claim 10 wherein product support terminates (*no hit in search database loop is executed on next device saved in client, fig. 13, b3-b5)* parsing if one or more of the vendor (*http//www.netstore~webmart.com/webmart/index0?dd=7173119, paragraph 0122 and 0141)*, product or version identifiers (*product name, fig. 12, paragraph 0133 and 0141)* do not identify a supported vendor, product or version (*no hit in search operation of database in server, fig. 13, b4).*

In regard to claim 20, Ishidera disclosed a computer readable medium having stored therein instructions for performing acts for creating an error message, the acts comprising:

generating an error message box (*dialog box, fig. 8)* upon determination that an error occurred (*hardware monitoring program detects an abnormality in the monitoring-target device and displays a dialog box, fig. 7, 74, paragraph 0120)*;

displaying the error message box (*view dialog box, fig. 7, 74)*;

connecting to product support in response to selection of a universal resource locator (URL) in the error message box (*connect to website by clicking on open web page button, fig. 8, paragraph 0122)*; and

passing a string (*Device x and Status x, fig. 13, b4)* to product support, the string including an error message identifier corresponding to information concerning the error (*keyword "Device x + Status x" is used to search the server's database, fig. 13, paragraph 0137).*

In regard to claim 21, Ishidera disclosed the computer readable medium of claim 20 wherein the errors are automatically resolved to corresponding documentation (*hardware monitoring main program transforms the information about the trouble into a specific format and save in the trouble failure database, fig. 9, a4, paragraph 0131).*

In regard to claim 22, Ishidera disclosed the computer readable medium of claim 20, the acts further comprising:

matching the error message identifier to information concerning the error (*keyword "Device x + Status x" is matched to find information associated with the keyword in the server's database, paragraph 0137).*

In regard to claim 23, Ishidera disclosed the computer readable medium of claim 20, the acts further comprising:

receiving information from product support in response to the passing of the string (*the retrieved web page includes catalog information about replacements for "Device x + Status x", paragraph 0137).*

In regard to claim 25, Ishidera disclosed the computer readable medium of claim 20, wherein the error message box (*dialog box, fig. 8)* is a graphical user interface (*web page, fig. 8, paragraph 0122)* including a link to URL (*URL, fig. 8, paragraph 0122)* that can be chosen by the user (*user can open the web site specified by the URL in a browser, paragraph 0122).*

In regard to claim 26, Ishidera disclosed the computer readable medium of claim 25 wherein the graphical user interface (*dialog box, fig. 8)* further includes a title (*machine trouble occurred, fig. 8)*, the link (*http//www.netstore~webmart.com/webmart/index0?dd=7173119, fig. 8)* and a button (*open web page, fig. 8)* for the user to acknowledge the error (*in response to error notification user can accesses the web page and view catalog of replacements and conduct purchase procedure, paragraph 0125)*.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 5, 12, 15-19 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishidera (US 2005/0010586) in further view of Bradfield et al. (US 2003/0185368).

In regard to claim 5, Ishidera teaches the method of claim 1 wherein the string includes one or more of a vendor name (*http//www.netstore~webmart.com/webmart/index0?dd=7173119, paragraph 0122 and 0141)*, a product name (*product name, fig. 12, paragraph 0133 and 0141)*, the error message identifier (*Status x, fig. 12, paragraph 0133 and 0141)*, and the string enabling interaction between a user and product support (*Device x and Status x, fig. 13, b4)* via an application programming interface (*web page, fig. 8, paragraph 0122).*

Ishidera does not teach the method of an image of the application state and a language appropriate for the application.

Bradfield et al. disclosed the method of the packet payload data structure includes a service code and a language identifier (*fig. 4, 427, 437, paragraph 0050).* Furthermore Bradfield et al. also disclosed the data structure field describing the company or vendor identifier and the network service product name (*fig. 4, 431, 429, paragraph 0050).*

It would have been obvious to modify the method of Ishidera by adding Bradfield et al. packet payload data structure. A person of ordinary skill in the art at the time of applicant's invention would have been motivated to make the modification because it would include a variety of additional information that can be used to inspect and parse the contents of a received packet (*paragraph 0019).*

In regard to claim 12, Ishidera disclosed a method for handling reports of an error condition, the method providing:

receiving an error message (*dialog box, fig. 8)* created by an application (*hardware monitoring program, fig. 7, 72)* in response to an error condition in the application (*dialog box in response to a machine trouble occurred, fig. 8)*;

hierarchically parsing a string included in the error message (*dialog box, fig. 8)*, the string including an error message identifier (*Device x, fig. 11, paragraph 0137)* and one or more of a vendor identifier (*netstore, paragraph 0122 and 0141)*, a product identifier (*product name, fig. 12, paragraph 0133 and 0141)*;

performing a search in a database of error information to match the error message identifier with error information in the database (*keyword "Device x" is matched to find information associated with the keyword in the server's database, paragraph 0137)* to determine a cause for the error condition and a remedy for the error condition (*server analyzes the received content of the trouble/failure database to identify the trouble occurring in the user PC, fig. 7, 80, paragraph 0124)*; and

returning results of the search (*display link to complete webpage in browser of client, fig. 13 and fig. 17).*

Ishidera does not teach the method of a string including an application identifier and a language identifier.

Bradfield et al. disclosed the method of the packet payload data structure includes a service code and a language identifier (*fig. 4, 427, 437, paragraph 0050).* Furthermore Bradfield et al. also disclosed the data structure field describing the company or vendor identifier and the network service product name (*fig. 4, 431, 429, paragraph 0050).*

Refer to claim 5 for motivational statement.

In regard to claim 15, Ishidera disclosed the method of claim 13 wherein a null condition (*search database in server using keyword return a no hit, fig. 13, 4b)* indicates an unpredicted (*error not found in database, fig. 7, 81)* error indicative of a problem in the application (*Device x and Status x are already saved as trouble/failure in client's database, fig. 7, 71, 70, paragraph 0137).*

In regard to claim 16, Ishidera disclosed a computer readable medium having computer-executable instructions for handling reports of an error condition, the computer-executable instructions performing acts comprising:

receiving an error message (*dialog box, fig. 8)* created by an application (*hardware monitoring program, fig. 7, 72)* in response to an error condition in the application (*dialog box in response to a machine trouble occurred, fig. 8)*;

hierarchically parsing a string included in the error message (*dialog box, fig. 8)*, the string including an error message identifier (*Device x, fig. 11, paragraph 0137)* and one or more of a vendor identifier (*netstore, paragraph 0122 and 0141)*, a product identifier (*product name, fig. 12, paragraph 0133 and 0141)*;

performing a search in a database of error information to match the error message identifier with error information in the database (*keyword "Device x" is matched to find information associated with the keyword in the server's database, paragraph 0137)* to determine a cause for the error condition and a remedy for the error condition (*server analyzes the received* *content of the trouble/failure database to identify the trouble occurring in the user PC, fig. 7, 80, paragraph 0124)*; and

returning results of the search (*display link to complete webpage in browser of client, fig. 13 and fig. 17).*

Ishidera does not teach the computer readable medium having instruction performing acts comprising an application identifier and a language identifier.

Bradfield et al. disclosed the system having the packet payload data structure includes a service code and a language identifier (*fig. 4, 427, 437, paragraph 0050).* Furthermore Bradfield et al. also disclosed the data structure field describing the company or vendor identifier and the network service product name (*fig. 4, 431, 429, paragraph 0050).*

Refer to claim 5 for motivational statement.

In regard to claim 17, Ishidera disclosed the computer readable medium of claim 16 wherein the receiving the error message (*webpage, fig. 17)* is via a user activating a link (to a universal resource locator (*URL, fig. 8)* shown on an error message box (*dialog box, fig. 8)* that appears following an error condition (*hardware monitoring program detects an abnormality in the monitoring-target device and displays a dialog box, fig. 7, 74, paragraph 0120).*

In regard to claim 18, Ishidera disclosed the computer readable medium of claim 16 wherein the results of the search (*search database in server using keyword, fig. 13, b4)* are displayed to a user that experienced the error condition (*display link to completed webpage in browser of client, fig. 13, b6)*.

In regard to claim 19, Ishidera disclosed the computer readable medium of claim 16 wherein the string is parsed hierarchically, so that the search is not performed unless parameters are verified (*search is not performed unless user acknowledged and verified the error message in the dialog box and click on the open web page button or access the URL, fig. 8)*.

In regard to claim 24, Ishidera disclosed the computer readable medium of claim 20 wherein the string includes one or more of a vendor name (*http//www.netstore~webmart.com/webmart/index0?dd=7173119, paragraph 0122 and 0141)*, a product name (*product name, fig. 12, paragraph 0133 and 0141)*, the error message identifier (*Status x, fig. 12, paragraph 0133 and 0141)*, and the string enabling interaction between a user and product support (*Device x and Status x, fig. 13, b4)* via an application programming interface (*web page, fig. 8, paragraph 0122)*.

Ishidera does not teach the computer readable medium wherein the string includes an image of the application state and a language appropriate for the application.

Bradfield et al. disclosed the system having the packet payload data structure includes a service code and a language identifier (*fig. 4, 427, 437, paragraph 0050)*. Furthermore Bradfield et al. also disclosed the data structure field describing the company or vendor identifier and the network service product name (*fig. 4, 431, 429, paragraph 0050)*.

Refer to claim 5 for motivational statement.

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4. Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishidera (US 2005/0010586) in further view of Bradfield et al. (US 2003/0185368) in further view of Srinivansan et al. (US 2004/0123188).

In regard to claim 13, Ishidera teaches the method of claim 12 further comprising:

if the results of the search are a null condition *(search database in server using keyword return a no hit, fig. 13, 4b).*

Ishidera and Bradfield et al. does not teach the method of returning contact information to enable a user to contact product support for further actions.

Srinivasan et al. disclosed the method of diagnosis and repair of computer devices by allowing user to gain assistance to contact a support center by sending an email *(paragraph 0024).*

It would have been obvious to modify the method of Ishidera by adding Srinivasan et al. method of diagnosis and repair by contacting a support center by sending an email. A person of ordinary skill in the art at the time of applicant's invention would have been motivated to make the modification because it would allow skilled computer technicians to resolve user's problem *(paragraph 0012).*

In regard to claim 14, Ishidera and Bradfield et al. does not teach the method of claim 13 wherein a user is provided with a form, fields in the form capable of being loaded via the error message.

> Srinivasan et al. disclosed the method of diagnosis and repair of computer devices by allowing user to gain assistance to contact a support center by filling out an online form *(paragraph 0024)*.
>
> It would have been obvious to modify the method of Ishidera by adding Srinivasan et al. method of diagnosis and repair by filling out an online form. A person of ordinary skill in the art at the time of applicant's invention would have been motivated to make the modification because it would allow skilled computer technicians to resolve user's problem *(paragraph 0012)*.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Loan Truong whose telephone number is (571) 272-2572. The examiner can normally be reached on M-F from 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Baderman can be reached on (571) 272-3644. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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